



WP No.39155 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.11.2025

CORAM

THE HON'BLE MR.MANINDRA MOHAN SHRIVASTAVA,

CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE G.ARUL MURUGAN

WP No.39155 of 2025
and WMP No.43957 and 43959 of 2025

Thenmozhi Selvaraj

.. Petitioner

-vs-

1. Union of India,
Rep. By its Secretary,
Ministry of Finance,
Department of Financial Services,
Jeevan Deep Building, Parliament Street,
New Delhi 110 001.
2. Union of India,
Rep. By its Secretary,
Ministry of Education,
Department of Higher Education,
Shastri Bhawan, New Delhi 110 001.
3. Reserve Bank of India,
Through its Governor,
Central Office Building,
Shahid Bhagat Singh Road,
Fort, Mumbai 400 001.



WP No.39155 of 2025

4. Indian Banks' Association (IBA),
Rep. By its Chief Executive,
World Trade Centre Complex,
Centre 1, 6th Floor, Cuffe Parade,
Mumbai 400 005.
5. Canara Bank (Head Office),
Rep. By its Chairman,
No.112, J C Road, Bangalore,
Karnataka, 560 002.
6. Canara Bank,
Rep. By its Branch Manager,
Jayankondam Cholapuram Branch,
No.41 A, Chidambaram Main Road,
Jayakondam, Ariyalur 621 802.
7. The Authorised Officer,
Canara Bank, Jayankondam Cholapuram
Branch, 41-A, Chidambaram Main Road,
Jayankondam, Ariyalur 621 802.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned classification of the petitioner's late son's educational loan account as a Non-Performing Asset (NPA) by respondent No.7 vide correspondence dated 04.08.2025 bearing reference No.SARF/DN/963-115352371/25-26, quash the same as arbitrary and illegal, consequently, direct the respondents to waive the said educational loan in view of the demise of the petitioner's son, Late.Sajeevan, who passed away soon after completing his Master's studies on compassionate grounds.



WP No.39155 of 2025

WEB COPY

For Petitioner : Mr.A.K.Rajaraman
For Respondents : Mr.A.S.Vijayaragavan
Spl. Panel Counsel for R-1
: Mr.R.Sreedhar
for RR 5 to 7

* * * * *

ORDER

(Order of the Court was made by the Hon'ble Chief Justice)

At the outset, it is stated that during the pendency of the petition, notice under Section 13(4) of the SARFAESI Act, has now been issued to the petitioner.

2. In view of the subsequent event, now, we are of the view that the petitioner has an alternative remedy of approaching the Debts Recovery Tribunal.

3. With the liberty to approach the Debts Recovery Tribunal, petition is closed. It goes without saying that all the issues raised in this petition are available to be raised before the Debts Recovery



WP No.39155 of 2025

WEB COPY

Tribunal in the matter of challenge to the measures taken by the secured creditor against the petitioner.

There shall be no order as to costs. Consequently, the interim applications stand closed.

(MANINDRA MOHAN SHRIVASTAVA, CJ.) (G.ARUL MURUGAN, J.)
13.11.2025

Index : Yes/No
Neutral Citation : Yes/No

sra



WP No.39155 of 2025

WEB COPY To

1. The Secretary,
Union of India,
Ministry of Finance,
Department of Financial Services,
Jeevan Deep Building, Parliament Street,
New Delhi 110 001.
2. The Secretary,
Union of India,
Ministry of Education,
Department of Higher Education,
Shastri Bhawan, New Delhi 110 001.
3. The Governor,
Reserve Bank of India,
Central Office Building,
Shahid Bhagat Singh Road,
Fort, Mumbai 400 001.
4. The Chairman,
Canara Bank (Head Office),
No.112, J C Road, Bangalore,
Karnataka, 560 002.
5. The Branch Manager,
Canara Bank,
Jayankondam Cholapuram Branch,
No.41 A, Chidambaram Main Road,
Jayakondam, Ariyalur 621 802.
6. The Authorised Officer,
Canara Bank, Jayankondam Cholapuram
Branch, 41-A, Chidambaram Main Road,
Jayankondam, Ariyalur 621 802.



WEB COPY



WP No.39155 of 2025

THE HON'BLE CHIEF JUSTICE
AND
G.ARUL MURUGAN, J.

(sra)

WP No.39155 of 2025

13.11.2025